



General Assembly

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Fifty-eighth session
Agenda item 148

Progressive development of the principles and norms of international law relating to the new international economic order

Report of the Sixth Committee

Rapporteur: Mr. Metod Špaček (Slovakia)

I. Introduction

1. The item entitled "Progressive development of the principles and norms of international law relating to the new international economic order" was included in the provisional agenda of the fifty-eighth session of the General Assembly pursuant to Assembly decision 55/428 of 12 December 2000.
2. At its 2nd plenary meeting, on 19 September 2003, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the Sixth Committee.
3. The Sixth Committee considered the item at its 4th and 21st meetings, on 9 October and on 4 November 2003. The views expressed during the Committee's consideration of the item are reflected in the relevant summary records (A/C.6/58/SR.4 and 21).

II. Consideration of draft decision A/C.6/58/L.24

4. At the 21st meeting, on 4 November, the Chairman of the Committee, on behalf of the bureau, introduced a draft decision entitled "Progressive development of the principles and norms of international law relating to the new international economic order" (A/C.6/58/L.24).
5. At the same meeting, the Committee adopted draft decision A/C.6/58/L.24 without a vote (see para. 6).



III. Recommendation of the Sixth Committee

6. The Sixth Committee recommends to the General Assembly the adoption of the following draft decision:

Progressive development of the principles and norms of international law relating to the new international economic order

The General Assembly, on the recommendation of the Sixth Committee, decides to take note of the consideration of the item entitled "Progressive development of the principles and norms of international law relating to the new international economic order", and notes that this question could be considered in the future.

**General Assembly**

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Fifty-eighth session
Agenda item 149

**United Nations Programme of Assistance in the Teaching,
Study, Dissemination and Wider Appreciation of
International Law****Report of the Sixth Committee**

Rapporteur: Mr. Metod Špaček (Slovakia)

I. Introduction

1. The item entitled "United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law" was included in the provisional agenda of the fifty-eighth session of the General Assembly pursuant to Assembly resolution 56/77 of 12 December 2001.
2. At its 2nd plenary meeting, on 19 September 2003, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the Sixth Committee.
3. The Sixth Committee considered the item at its 21st meeting, on 4 November 2003. The views of the representatives who spoke during the Committee's consideration of the item are reflected in the relevant summary record (A/C.6/58/SR.21).
4. For its consideration of the item, the Committee had before it the report of the Secretary-General (A/58/446).

II. Consideration of draft resolution A/C.6/58/L.13

5. At the 21st meeting, on 4 November, the representative of Ghana introduced a draft resolution entitled "United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law" (A/C.6/58/L.13). The Committee adopted draft resolution A/C.6/58/L.13 without a vote (see para. 6).



III. Recommendation of the Sixth Committee

6. The Sixth Committee recommends to the General Assembly the adoption of the following draft resolution:

United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law

The General Assembly,

Taking note with appreciation of the report of the Secretary-General on the implementation of the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law¹ and the guidelines and recommendations on future implementation of the Programme which were adopted by the Advisory Committee on the Programme and are contained in section III of the report,

Considering that international law should occupy an appropriate place in the teaching of legal disciplines at all universities,

Noting with appreciation the efforts made by States at the bilateral level to provide assistance in the teaching and study of international law,

Convinced, nevertheless, that States and international organizations and institutions should be encouraged to give further support to the Programme and increase their activities to promote the teaching, study, dissemination and wider appreciation of international law, in particular those activities which are of special benefit to persons from developing countries,

Reaffirming its resolutions 2464 (XXIII) of 20 December 1968, 2550 (XXIV) of 12 December 1969, 2838 (XXVI) of 18 December 1971, 3106 (XXVIII) of 12 December 1973, 3502 (XXX) of 15 December 1975, 32/146 of 16 December 1977, 36/108 of 10 December 1981 and 38/129 of 19 December 1983, in which it stated or recalled that in the conduct of the Programme it was desirable to use as far as possible the resources and facilities made available by Member States, international organizations and others, as well as its resolutions 34/144 of 17 December 1979, 40/66 of 11 December 1985, 42/148 of 7 December 1987, 44/28 of 4 December 1989, 46/50 of 9 December 1991, 48/29 of 9 December 1993, 50/43 of 11 December 1995, 52/152 of 15 December 1997, 54/102 of 9 December 1999 and 56/77 of 12 December 2001, in which, in addition, it expressed or reaffirmed the hope that, in appointing lecturers for the seminars to be held within the framework of the fellowship programme in international law, account would be taken of the need to secure the representation of major legal systems and balance among various geographical regions,

1. *Approves the guidelines and recommendations contained in section III of the report of the Secretary-General¹ and adopted by the Advisory Committee on the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law, in particular those designed to achieve the best possible results in the administration of the Programme within a policy of maximum financial restraint;*

¹ A/58/446.

2. *Authorizes* the Secretary-General to carry out in 2004 and 2005 the activities specified in his report, including the provision of:

(a) A number of international law fellowships in both 2004 and 2005, to be determined in the light of the overall resources for the Programme and to be awarded at the request of Governments of developing countries;

(b) A minimum of one scholarship in both 2004 and 2005 under the Hamilton Shirley Amerasinghe Memorial Fellowship on the Law of the Sea, subject to the availability of new voluntary contributions made specifically to the fellowship fund;

(c) Subject to the overall resources for the Programme, assistance in the form of a travel grant for one participant from each developing country, who would be invited to possible regional courses to be organized in 2004 and 2005;

and to finance the above activities from provisions in the regular budget, when appropriate, as well as from voluntary financial contributions earmarked for each of the activities concerned, which would be received as a result of the requests set out in paragraphs 11 to 13 below;

3. *Expresses its appreciation* to the Secretary-General for his constructive efforts to promote training and assistance in international law within the framework of the Programme in 2002 and 2003, in particular for the organization of the thirty-eighth² and thirty-ninth³ sessions of the International Law Seminar, held at Geneva in 2002 and 2003, respectively, and for the activities of the Office of Legal Affairs of the Secretariat related to the fellowship programme in international law and to the Hamilton Shirley Amerasinghe Memorial Fellowship on the Law of the Sea, carried out, respectively, through its Codification Division and its Division for Ocean Affairs and the Law of the Sea;

4. *Requests* the Secretary-General to consider the possibility of admitting, for participation in the various components of the Programme, candidates from countries willing to bear the entire cost of such participation;

5. *Also requests* the Secretary-General to consider the relative advantages of using available resources and voluntary contributions for regional, subregional or national courses, as against courses organized within the United Nations system;

6. *Further requests* the Secretary-General to continue to provide the necessary resources to the programme budget for the Programme for the next and the future bienniums with a view to maintaining the effectiveness of the Programme;

7. *Welcomes* the efforts undertaken by the Office of Legal Affairs to bring up to date the United Nations *Treaty Series* and the United Nations *Juridical Yearbook*, as well as efforts made to place on the Internet the *Treaty Series* and other legal information;

8. *Expresses its appreciation* to the United Nations Institute for Training and Research for its participation in the Programme through the activities described in the report of the Secretary-General;

² See *Official Records of the General Assembly, Fifty-seventh Session, Supplement No. 10* and corrigendum (A/57/10 and Corr.1), chap. X, sect. E.

³ *Ibid.*, *Fifty-eighth Session, Supplement No. 10* (A/58/10), chap. XI, sect. E.

9. *Also expresses its appreciation* to The Hague Academy of International Law for the valuable contribution it continues to make to the Programme, which has enabled candidates under the fellowship programmes in international law to attend and participate in the Programme in conjunction with the Academy courses;

10. *Notes with appreciation* the contributions of The Hague Academy to the teaching, study, dissemination and wider appreciation of international law, and calls upon Member States and interested organizations to give favourable consideration to the appeal of the Academy for a continuation of support and a possible increase in their financial contributions, to enable the Academy to carry out its activities, particularly those relating to the summer courses, regional courses and programmes of the Centre for Studies and Research in International Law and International Relations;

11. *Requests* the Secretary-General to continue to publicize the Programme and periodically to invite Member States, universities, philanthropic foundations and other interested national and international institutions and organizations, as well as individuals, to make voluntary contributions towards the financing of the Programme or otherwise to assist in its implementation and possible expansion;

12. *Reiterates its request* to Member States and to interested organizations and individuals to make voluntary contributions, inter alia, for the International Law Seminar, the fellowship programme in international law, the Hamilton Shirley Amerasinghe Memorial Fellowship on the Law of the Sea and the United Nations Audiovisual Library in International Law, and expresses its appreciation to those Member States, institutions and individuals that have made voluntary contributions for this purpose;

13. *Urges* in particular all Governments to make voluntary contributions for the organization of regional refresher courses in international law by the United Nations Institute for Training and Research, especially with a view to covering the amount needed for the financing of the daily subsistence allowance for up to twenty-five participants in each regional course, thus alleviating the burden on prospective host countries and making it possible for the Institute to continue to organize the regional courses;

14. *Requests* the Secretary-General to report to the General Assembly at its sixtieth session on the implementation of the Programme during 2004 and 2005 and, following consultations with the Advisory Committee on the Programme, to submit recommendations regarding the execution of the Programme in subsequent years;

15. *Decides* to appoint twenty-five Member States, six from Africa, five from Asia, three from Eastern Europe, five from Latin America and the Caribbean and six from Western Europe and other States, as members of the Advisory Committee on the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law, for a period of four years beginning on 1 January 2004;⁴

⁴ The following States have been appointed members of the Advisory Committee on the Programme: Canada, Colombia, Cyprus, Czech Republic, Ethiopia, France, Germany, Ghana, Iran (Islamic Republic of), Italy, Jamaica, Kenya, Lebanon, Malaysia, Mexico, Nigeria, Pakistan, Portugal, Russian Federation, Sudan, Trinidad and Tobago, Ukraine, United Republic of Tanzania, United States of America and Uruguay.

16. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law".

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Fifty-eighth session
Agenda item 150

Convention on jurisdictional immunities of States and their property**Report of the Sixth Committee**

Rapporteur: Mr. Metod Špaček (Slovakia)

I. Introduction

1. The item entitled "Convention on jurisdictional immunities of States and their property" was included in the provisional agenda of the fifty-eighth session of the General Assembly pursuant to Assembly resolution 57/16 of 19 November 2002.
2. At its 2nd plenary meeting, on 19 September 2003, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the Sixth Committee.
3. The Committee considered the item at its 12th, 13th, 20th and 21st meetings, on 21 and 23 October and on 3 and 4 November 2003. The views of the representatives who spoke during the Committee's consideration of the item are reflected in the relevant summary records (A/C.6/58/SR.12, 13, 20 and 21).
4. For its consideration of the item, the Committee had before it the report of the Ad Hoc Committee on Jurisdictional Immunities of States and Their Property.¹
5. At the 12th meeting, on 21 October, the Chairman of the Ad Hoc Committee on Jurisdictional Immunities of States and Their Property introduced the report of the Ad Hoc Committee (see A/C.6/58/SR.12).

II. Consideration of draft resolution A/C.6/58/L.20

6. At the 20th meeting, on 3 November, the representative of Japan, on behalf of Australia, Austria, Belgium, China, Denmark, Finland, France, Germany, Greece, Hungary, India, the Islamic Republic of Iran, Ireland, Italy, Japan, Mexico, the

¹ *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 22 (A/58/22).*



Philippines, the Republic of Korea, Slovakia, South Africa, Spain, Sweden, Ukraine, the United Kingdom of Great Britain and Northern Ireland and Viet Nam, subsequently joined by Cyprus, the Czech Republic, Norway, Poland and Portugal, introduced a draft resolution entitled "Convention on jurisdictional immunities of States and their property" (A/C.6/58/L.20).

7. At the 21st meeting, on 4 November, the Secretary of the Committee made a statement regarding the administrative and financial implications of the draft resolution (A/C.6/58/SR.21).

8. At the same meeting, the Committee adopted draft resolution A/C.6/58/L.20 without a vote (see para. 9).

III. Recommendation of the Sixth Committee

9. The Sixth Committee recommends to the General Assembly the adoption of the following draft resolution:

Convention on jurisdictional immunities of States and their property

The General Assembly,

Recalling its resolutions 46/55 of 9 December 1991, 49/61 of 9 December 1994, 52/151 of 15 December 1997, 53/98 of 8 December 1998, 54/101 of 9 December 1999, 55/150 of 12 December 2000, 56/78 of 12 December 2001 and 57/16 of 19 November 2002,

Having considered the report of the Ad Hoc Committee on Jurisdictional Immunities of States and Their Property,¹ established pursuant to resolution 55/150,

Noting the adoption of the draft articles and the understandings by the Ad Hoc Committee,

Noting also the broad support for the conclusion of a convention on jurisdictional immunities of States and their property,

Stressing the importance of uniformity and clarity in the law applicable to jurisdictional immunities of States and their property,

1. *Takes note with appreciation* of the report of the Ad Hoc Committee on Jurisdictional Immunities of States and Their Property;¹

2. *Decides* that the Ad Hoc Committee shall be reconvened from 1 to 5 March 2004, with the mandate to formulate a preamble and final clauses, with a view to completing a convention on jurisdictional immunities of States and their property, which will contain the results already adopted by the Ad Hoc Committee;

3. *Requests* the Ad Hoc Committee to report to the General Assembly at its fifty-ninth session on the outcome of its work;

4. *Decides* to include in the provisional agenda of its fifty-ninth session the item entitled "Convention on jurisdictional immunities of States and their property".

¹ *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 22 (A/58/22).*

**General Assembly**

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**Report of the United Nations Commission on International
Trade Law on the work of its thirty-sixth session**

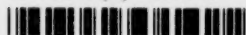
Report of the Sixth Committee

Rapporteur: Mr. Metod Špaček (Slovakia)

I. Introduction

1. At its 2nd plenary meeting, on 19 September 2003, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its fifty-eighth session the item entitled "Report of the United Nations Commission on International Trade Law on the work of its thirty-sixth session" and to allocate it to the Sixth Committee.
2. The Sixth Committee considered the item at its 2nd, 3rd and 12th meetings, on 6 and 21 October 2003. The views of the representatives who spoke during the Committee's consideration of the item are reflected in the relevant summary records (A/C.6/58/SR.2, 3 and 12).
3. For its consideration of the item, the Committee had before it the report of the United Nations Commission on International Trade Law on its thirty-sixth session.¹
4. At the 2nd meeting, on 6 October, the Chairman of the United Nations Commission on International Trade Law at its thirty-sixth session introduced the report of the Commission on the work of that session. At the same meeting, the Legal Counsel made a statement (see A/C.6/58/SR.2).

¹ *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 17 (A/58/17).*



II. Consideration of proposals

A. Draft resolution A/C.6/58/L.11

5. At the 12th meeting, on 21 October, the representative of Austria, on behalf of Afghanistan, Algeria, Armenia, Australia, Austria, Brazil, Bulgaria, Canada, Chile, China, Colombia, Costa Rica, Croatia, Cyprus, the Czech Republic, the Democratic Republic of the Congo, Denmark, Finland, Germany, Greece, Guatemala, Hungary, India, the Islamic Republic of Iran, Ireland, Israel, Italy, Japan, Liechtenstein, Lithuania, Madagascar, Malaysia, Malta, Mexico, Mongolia, Morocco, New Zealand, Norway, Paraguay, the Philippines, Portugal, Romania, the Russian Federation, Serbia and Montenegro, Singapore, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Thailand, The former Yugoslav Republic of Macedonia, Trinidad and Tobago, Tunisia, Turkey, Ukraine, the United Kingdom of Great Britain and Northern Ireland and Venezuela, introduced a draft resolution entitled "Report of the United Nations Commission on International Trade Law on the work of its thirty-sixth session" (A/C.6/58/L.11).

6. At the same meeting, the Committee adopted draft resolution A/C.6/58/L.11 without a vote (see para. 9, draft resolution I).

B. Draft resolution A/C.6/58/L.12

7. At the 12th meeting, on 21 October, the Chairman of the Committee introduced a draft resolution entitled "Model Legislative Provisions on Privately Financed Infrastructure Projects of the United Nations Commission on International Trade Law" (A/C.6/58/L.12).

8. At the same meeting, the Committee adopted draft resolution A/C.6/58/L.12 without a vote (see para. 9, draft resolution II).

III. Recommendations of the Sixth Committee

9. The Sixth Committee recommends to the General Assembly the adoption of the following draft resolutions:

Draft resolution I

Report of the United Nations Commission on International Trade Law on the work of its thirty-sixth session

The General Assembly,

Recalling its resolution 2205 (XXI) of 17 December 1966, by which it established the United Nations Commission on International Trade Law with a mandate to further the progressive harmonization and unification of the law of international trade and in that respect to bear in mind the interests of all peoples, in particular those of developing countries, in the extensive development of international trade,

Reaffirming its belief that the progressive modernization and harmonization of international trade law, in reducing or removing legal obstacles to the flow of international trade, especially those affecting the developing countries, would contribute significantly to universal economic cooperation among all States on a basis of equality, equity and common interest and to the elimination of discrimination in international trade and, thereby, to the well-being of all peoples,

Having considered the report of the Commission on its thirty-sixth session,¹

Concerned that activities undertaken by other bodies in the field of international trade law without adequate coordination with the Commission might lead to undesirable duplication of efforts and would not be in keeping with the aim of promoting efficiency, consistency and coherence in the unification and harmonization of international trade law,

Reaffirming the mandate of the Commission, as the core legal body within the United Nations system in the field of international trade law, to coordinate legal activities in this field, in particular to avoid duplication of efforts, including among organizations formulating rules of international trade, and to promote efficiency, consistency and coherence in the modernization and harmonization of international trade law, and to continue, through its secretariat, to maintain close cooperation with other international organs and organizations, including regional organizations, active in the field of international trade law, as stated in General Assembly resolution 50/47 of 11 December 1995,

Taking note of the proposals made by the Secretary-General in the proposed programme budget for the biennium 2004-2005 with a view to strengthening the secretariat of the Commission within the bounds of the resources available in the Organization so as to enable it to deal with the increased workload arising, inter alia, from the coordination of work with other organizations and growing demands for legislative technical assistance,²

¹ Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 17 (A/58/17).

² A/58/6 (Sect. 8), paras. 8.13 and 8.48.

1. *Takes note with appreciation* of the report of the United Nations Commission on International Trade Law on its thirty-sixth session;¹

2. *Takes note with satisfaction* of the completion and adoption by the Commission of the Model Legislative Provisions on Privately Financed Infrastructure Projects;³

3. *Commends* the Commission for its approval in principle to the draft legislative guide on insolvency law,⁴ elaborated in close cooperation with other international organizations, including the World Bank, the International Monetary Fund, the Asian Development Bank, the International Bar Association and the International Federation of Insolvency Professionals, and requests that the draft legislative guide be made available for comment to Member States, relevant intergovernmental and non-governmental organizations, as well as private sector and regional organizations and individual experts;

4. *Also commends* the Commission for the progress made in the work on the draft legislative guide on secured transactions, on model legislative provisions on interim measures in international commercial arbitration and on issues of electronic contracting and transport law;

5. *Requests* the Commission and its secretariat, relying on its role as the core legal body within the United Nations system in the field of international trade law, to take the lead in assuring cooperation and coordination with the World Bank, the International Monetary Fund, regional economic commissions and other international organizations in the work on international legal texts and propose appropriate and widely accepted international standards with due respect to the distinct objectives of the Commission and the international financial institutions;

6. *Reaffirms* the importance, in particular for developing countries, of the work of the Commission concerned with training and legislative technical assistance in the field of international trade law, and in this connection:

(a) Expresses its appreciation to the Commission for organizing seminars and briefing missions in Bangladesh, Botswana, Burkina Faso, Cuba, Kazakhstan, Mongolia, New Zealand, Peru, the Republic of Korea, the Russian Federation, Serbia and Montenegro, Thailand and Viet Nam;

(b) Expresses its appreciation to the Governments whose contributions enabled the seminars and briefing missions to take place, and appeals to Governments, the relevant bodies of the United Nations system, organizations, institutions and individuals to make voluntary contributions to the United Nations Commission on International Trade Law Trust Fund for Symposia and, where appropriate, to the financing of special projects, and otherwise to assist the secretariat of the Commission in carrying out training and legislative technical assistance activities, in particular in developing countries;

(c) *Reiterates* its appeal to the United Nations Development Programme and other bodies responsible for development assistance, such as the World Bank and regional development banks, as well as to Governments in their bilateral aid programmes, to support the training and legislative technical assistance programme

³ *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 17 (A/58/17), annex I.*

⁴ *Ibid.*, *Supplement No. 17 (A/58/17)*, para. 197; see also A/CN.9/534.

of the Commission and to cooperate and coordinate their activities with those of the Commission;

7. *Appeals* to Governments, the relevant bodies of the United Nations system, organizations, institutions and individuals to make voluntary contributions to the trust fund established to provide travel assistance to developing countries that are members of the Commission, at their request and in consultation with the Secretary-General;

8. *Decides*, in order to ensure full participation by all Member States in the sessions of the Commission and its working groups, to continue, in the competent Main Committee during the fifty-eighth session of the General Assembly, its consideration of granting travel assistance to the least developed countries that are members of the Commission, at their request and in consultation with the Secretary-General;

9. *Stresses* the importance of bringing into effect the conventions emanating from the work of the Commission for the global unification and harmonization of international trade law, and, to this end, urges States that have not yet done so to consider signing, ratifying or acceding to those conventions;

10. *Requests* the Secretary-General, in view of the continuing demands on personnel resources of the secretariat of the Commission resulting, inter alia, from the need for coordination among a growing number of international organizations in the field of international trade law and the growing demand for legislative technical assistance, to keep under review the level of resources available to the Commission in order to ensure its ability to carry out its mandate.

Draft resolution II

Model Legislative Provisions on Privately Financed Infrastructure Projects of the United Nations Commission on International Trade Law

The General Assembly,

Bearing in mind the role of public-private partnerships to improve the provision and sound management of infrastructure and public services in the interest of sustainable economic and social development,

Recognizing the need to provide an enabling environment that both encourages private investment in infrastructure and takes into account the public interest concerns of the country,

Emphasizing the importance of efficient and transparent procedures for the award of privately financed infrastructure projects,

Stressing the desirability of facilitating project implementation by rules that enhance transparency, fairness and long-term sustainability and remove undesirable restrictions on private sector participation in infrastructure development and operation,

Recalling the valuable guidance that the United Nations Commission on International Trade Law has provided to Member States towards the establishment of a favourable legislative framework for private participation in infrastructure development through the *UNCITRAL Legislative Guide on Privately Financed Infrastructure Projects*,¹

Believing that the Model Legislative Provisions on Privately Financed Infrastructure Projects of the United Nations Commission on International Trade Law will be of further assistance to States, in particular developing countries, in promoting good governance and establishing an appropriate legislative framework for such projects,

1. *Expresses its appreciation* to the United Nations Commission on International Trade Law for the completion and adoption of the Model Legislative Provisions on Privately Financed Infrastructure Projects, the text of which is contained in annex I to the report of the United Nations Commission on International Trade Law on its thirty-sixth session;²

2. *Requests* the Secretary-General to publish the Model Legislative Provisions and to make all efforts to ensure that the Model Legislative Provisions along with the *UNCITRAL Legislative Guide on Privately Financed Infrastructure Projects*¹ become generally known and available;

3. *Also requests* the Secretary-General, subject to availability of resources, to consolidate in due course the text of the Model Legislative Provisions and the *Legislative Guide* into one single publication and, in doing so, to retain the legislative recommendations contained in the *Legislative Guide* as a basis of the development of the Model Legislative Provisions;

¹ United Nations publication, Sales No. E.01.V.4.

² *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 17 (A/58/17).*

4. *Recommends* that all States give due consideration to the Model Legislative Provisions and the *Legislative Guide* when revising or adopting legislation related to private participation in the development and operation of public infrastructure.
